## REMARKS/ARGUMENTS

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. This amendment is believed to be fully responsive to all issues raised in the August 12, 2003, Office action (hereinafter "the prior Office action").

Claims 9, 18, 33, and 36 have been amended as indicated in the listing of claims beginning on page 2 of this paper.

## CLAIM REJECTIONS

### Claims Rejected Under - 35 USC §102(b)

Independent claims 1, 9, 18, and 40 stand rejected under 35 USC §102 as being anticipated by Smale (USPN 5,764,985, hereinafter "the Smale patent").

As noted in §706.02 of the Manual of Patent Examination Procedure (MPEP), "To anticipate a claim, the reference must teach every element of the claim." As will now be described, it is Applicant's position that each of rejected claims 1, 9, 18, and 40, as well as the claims that depend therefrom, are allowable for at least the reason that the Smale patent fails to teach every element of the claim.

**Claim 1** reads as follows:

1. A software architecture embodied on a computer-readable medium, the architecture comprising:

multiple attachment points collectively arranged to filter data associated with files that describe software extensions; and

multiple extension managers associated with the multiple attachment points and with respective feature types that can be added to a software platform by software extensions, the extension managers being configured to receive data from the multiple attachment points that pertains only to the feature type with which the extension manager is associated.

In addressing the "multiple attachment point" element of claim 1, the Office refers to the arrays 60-62 shown in Fig. 5 of the Smale patent. In particular, it is stated in the first paragraph of page 3 of the prior Office action that "Fig. 5, items 60, 61 and 62 illustrates the multiple attachment points collectively arranged to filter data associated with files that describe software extensions: that is, arrays 60-62 are interpreted as multiple attachment points."

Applicant respectfully disagrees with the equating by the Office of the arrays 60-62 of the Smale patent with the multiple attachment points of claim 1. As described on page 43, lines 7-12 of the present invention:

> An attachment point is simply a collection of objects that fire events to registered listeners as objects are added to or removed from the collection. Many types of attachment points can be created, but all take data from a source (often another attachment point), process

it (either dynamically or statically), and expose the results of their processing.

Claim 1 recites "multiple attachment points collectively arranged to filter data associated with files that describe software extensions." That is, in accordance with claim 1, multiple attachment points (each of which take date from a source, filter the data and expose the results of the filtering) are arranged in a manner such that they collectively filter data associated with files that describe software extensions.

Unlike the multiple attachment points of claim 1, the arrays 60-62 of the Smale patent do not "process" data. As noted in column 7, lines 33-35 of the Smale patent, each of the arrays 60-62 comprises a list or table of addresses of registered extensions. That is, the arrays 60-62 of the Smale patent are simply data structures that store addresses. There is no discussion whatsoever in the Smale patent of these arrays processing data. Furthermore, there is no mention in the Smale patent of the arrays being arranged to filter data, as recited in claim 1. Since the arrays 60-62 of the Smale patent neither process data, nor are they arranged to filter data, it is Applicant's position that the equating of the arrays 60-62 of the Smale patent with the multiple attachment point element of claim 1 is inappropriate and incorrect.

In addressing the "multiple extension managers" element of claim 1, the Office refers to the multiple data structures 52-54 shown in Fig. 5 of the Smale patent. In particular, it is stated in the first paragraph of page 4 of the prior Office

action that "multiple data structures 52-54 are interpreted as multiple extension managers, which are associated with multiple attachment points and with respective feature types."

Applicant respectfully disagrees with the equating by the Office of the multiple data structures 52-54 of the Smale patent with the multiple extension managers of claim 1. In particular, Applicant disagrees that the multiple data structures 52-54 of the Smale patent "receive data from the multiple attachment points," as do the multiple extension managers recited in claim 1. As shown in Fig. 5, and as noted in column 7, lines 16-35 of the Smale patent, each of the multiple data structures 52-54 includes a first field 56 containing a request type, a second field 57 containing a counter to track the number of extensions registered for the type of request identified in the first field 56, and a third field containing a pointer to one of the arrays 60-62, discussed above.

As noted previously, the arrays 60-62 of the Smale patent are not multiple "attachment points," as that term is used and defined in the present application. Furthermore, even assuming arguendo that the arrays 60-62 of the Smale reference were equated with attachment points, the multiple data structures 52-54 do not receive data of any type or in any way from the arrays 60-62. Rather, each of the multiple data structures 52-54 simply holds a pointer to one of the arrays 60-62. Put simply, the multiple data structures 52-54 of the Smale patent do not receive data from attachment points, even if one were to incorrectly equate the arrays 60-62 of the Smale reference to the attachment points of the present application. As

such, the multiple data structures 52-54 do not "receive data from the multiple attachment points that pertains only to the feature type with which the extension manager is associated," as recited in claim 1.

As described, the Smale patent fails to teach or suggest either multiple attachment points or the multiple extension managers, as those elements are defined in claim 1. As such, it is believed that claim 1 is allowable over the Smale patent, and such allowance is respectfully requested.

**Claims 2-8** each depend in some form from claim 1. As such, each of claims 2-8 is necessarily allowable over the Smale patent by virtue of this dependency. Each of claims 2-11 also specifies additional features that are not disclosed by either the Smale patent, either alone or in combination with the Cheng patent (USPN 6,421,656).

**Claim 9** reads as follows:

9. (Currently amended) A software architecture embodied on a computer-readable medium, the architecture comprising:

a hub structure configured to:

receive multiple different files that describe extensions that can be added to a software platform;

combine the multiple different files into a single exposable list; and

expose the single exposable list to a filter structure comprising one or more attachment points configured to filter the list.

In addressing the "filter structure" recited in claim 1, the Office refers to the notification manager 32 of the Smale patent. In particular, it is stated in the first paragraph of page 6 of the prior Office action that "the notification manager is interpreted as the filter structure." Claim 9 has been amended to indicate that the filter structure to which the exposable list is exposed comprises one or more attachment points. With respect to attachment points, it is stated in the first paragraph of page 3 of the prior Office action that "arrays 60-62 are interpreted as multiple attachment points." As previously noted, on page 43, lines 7-12 of the present invention it is stated that:

> An attachment point is simply a collection of objects that fire events to registered listeners as objects are added to or removed from the collection. Many types of attachment points can be created, but all take data from a source (often another attachment point), process it (either dynamically or statically), and expose the results of their processing.

Unlike the one or more attachment points of claim 9, the arrays 60-62 of the Smale patent do not "process" data. The arrays 60-62 of the Smale patent are simply data structures that store addresses. There is no discussion whatsoever in the Smale patent of these arrays processing data. Furthermore, there is no mention in the Smale patent of the arrays being configured to filter data, as recited in claim 9. For at least these reasons it is Applicant's position that claim 9 is distinguishable over the Smale patent.

As described, the Smale patent fails to teach or suggest "a hub structure configured to . . .expose the single exposable list to a filter structure comprising one or more attachment points configured to filter the list, as recited in claim 9. As such, it is believed that claim 9 is allowable over the Smale patent, and such allowance is respectfully requested.

**Claims 10 and 11** each depend in some form from claim 9. As such, each of claims 10 and 11 is necessarily allowable over the Smale patent by virtue of this dependency. Each of claims 10 and 11 also specifies additional features that are not disclosed by either the Smale patent, either alone or in combination with the Cheng patent (USPN 6,421,656).

**Claim 18** reads as follows:

18. A software architecture embodied on a computer-readable medium, the architecture comprising:

a hub structure configured to:

receive multiple different files that describe software extensions that can be added to a software platform;

combine the multiple different files into a single exposable list; and

expose the single exposable list to a filter structure that is configured to filter the list, the filter structure comprising multiple attachment points collectively arranged to filter data associated with the list exposed by the hub structure; and

multiple extension managers associated with the multiple attachment points and with respective feature types that can be added to a software platform by software extensions, the extension managers being configured to receive data from the multiple attachment points that pertains only to the feature type with which the extension manager is associated.

Claim 18 has been amended to make clear that "the filter structure that is configured to filter the list" is the "filter structure comprising multiple attachment points."

In setting forth the rejection of claim 18, the Office states that "This is another version of the claimed software architecture discussed above, claim 9, wherein all the limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also anticipated by Smale."

For at least the reasons discussed above with respect to claims 1 and 9, it is Applicant's position that the Smale patent fails to teach or suggest the filter structure comprising multiple attachment points recited in claim 18. As such, it is believed that claim 18 is allowable over the Smale patent, and such allowance is respectfully requested.

**Claims 19-25** each depend in some form from claim 18. As such, each of claims 19-25 is necessarily allowable over the Smale patent by virtue of this dependency. Each of claims 19-25 also specifies additional features that are not

disclosed by either the Smale patent, either alone or in combination with the Cheng patent (USPN 6,421,656).

**Claim 40** reads as follows:

40. A method of providing a software extension comprising:

receiving multiple different files, each of which being associated with a different software extension and logically describing its associated software extension;

combining the multiple different files in a single list;

exposing portions of the list;

processing exposed portions of the list to identify one or more feature types that are to be added to a software platform; and

notifying an extension manager that is associated with a particular feature type.

In setting forth the rejection of claim 18, the Office states:

> This method is a version of the claimed software architecture discussed above, claim 18, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above, including "receives multiple different files. Each of which being associated with a different software extension and logically

describing its associated software extension" (column 7, lines 16-27). Thus, accordingly, this claim is also anticipated by Smale.

Applicant respectfully disagrees with the Office's contention that all of the claim limitations of claim 40 have been addressed by the Office with respect to claim 18. Applicant would like to point out that although there may be some overlap between the features of claim 18 and claim 40, the claims are not identical. The Applicant has submitted extra fees for the inclusion and examination of each claim in the application. In response to this effort, it is the PTO's responsibility to fully examine each of these claims, and to give full consideration to each of the limitations of these claims.

For example, and without limitation, the step of "processing exposed portions of the list to identify one or more feature types that are to be added to a software platform," was not an element of claim 18. As such, this step was not addressed with respect to claim 18. The Smale patent does not discuss teach or suggest such a step.

Furthermore, the Smale patent does not teach or suggest "notifying an extension manager that is associated with a particular feature type," as recited in claim 40. As discussed above with respect to claim 1, the Office equates the multiple data structures 52-54 of the Smale patent with the extension managers of the present invention. For the reasons set forth previously with respect to claim 1, it is Applicant's position that the multiple data structures 52-54 of the Smale

patent are not equivalent to the multiple extension managers of the present invention is incorrect.

For these reasons, it is Applicant's position that the Smale patent fails to teach or suggest each of the limitations of claim 40. As such, it is believed that claim 40 is allowable over the Smale patent, and such allowance is respectfully requested.

**Claims 41-42** each depend in some form from claim 40. As such, each of claims 41-42 is necessarily allowable over the Smale patent by virtue of this dependency. Each of claims 41-42 also specifies additional features that are not disclosed by either the Smale patent, either alone or in combination with the Cheng patent (USPN 6,421,656).

**Claims Rejected Under - 35 USC §103**

Independent claims 12, 26, and 33 stand rejected under 35 USC §103 as being unpatentable over Smale in view of Cheng (USPN 6,421,656).

As noted in §2143 of the Manual of Patent Examination Procedure (MPEP), "To establish a prima facie case of obviousness, . . the prior art reference (or references when combined) must teach or suggest all the claim limitations." As will now be described, it is Applicant's position that each of rejected claims 12, 26, and 33, as well as the claims that depend therefrom, are allowable for at least the reason that the Smale and Cheng patents, separately or in combination, fail to teach every element of the claims.

**Claim 12** reads as follows:

12. A software architecture embodied on a computer-readable medium, the architecture comprising multiple different attachment points each of which is configured to:

receive XML data that pertains to one or more software extensions that can be added to a software platform;

process the XML data to provide a list of XML nodes; and

expose the list of XML nodes.

As previously described with respect to claim 1, it is Applicant's position that the Smale reference does not teach or suggest "attachment points," as that term is used and defined in the present application. As such, even if one were to assume arguendo that it would be proper to combine the teachings concerning XML in the Cheng patent (6,421,656) with the Smale reference, the resulting combination would still not anticipate or render obvious the "architecture comprising multiple different attachment points each of which is configured to" carry out the steps of claim 12.

For at least these reasons, it is Applicant's position that the combination of the Smale patent and the Cheng patent fails to teach or suggest each of the limitations of claim 12. As such, it is believed that claim 12 is allowable over the

combination of the Smale patent and the Cheng patent, and such allowance is respectfully requested.

**Claims 13-17** each depend in some form from claim 12. As such, each of claims 13-17 is necessarily allowable over the combination of the Smale patent and the Cheng patent by virtue of this dependency. Each of claims 13-17 also specifies additional features that are not disclosed by the Smale patent in combination with the Cheng patent.

**Claim 26** reads as follows:

26. A method of providing a software extension comprising:

exposing an XML list that contains one or more nodes;

processing the XML list to identify specific nodes that correspond to various feature types that can be added to a software platform; and

notifying an extension manager that is associated with at least one feature type if a node that corresponds to that feature type is identified in the XML list.

As noted above with respect to claim 1, it is Applicant's position that Smale does not teach or suggest an "extension manager," as that term is used and defined in the present application. As discussed above with respect to claim 1, the Office equates the multiple data structures 52-54 of the Smale patent with the extension managers of the present invention. For the reasons set forth previously with respect to claim 1, it is Applicant's position that the multiple data structures 52-54

of the Smale patent are not equivalent to the multiple extension managers of the present invention is incorrect. Furthermore, Cheng describes nothing that would add to the Smale reference to render obvious the "extension manager" recited in claim 26. Since the Smale and/or Cheng patents do not teach or suggest an extension manager, it is axiomatic that neither the Smale and/or Cheng patents teach or suggest the step of "notifying an extension manager," as recited in claim 26.

For at least these reasons, it is Applicant's position that the combination of the Smale patent and the Cheng patent fails to teach or suggest each of the limitations of claim 26. As such, it is believed that claim 26 is allowable over the combination of the Smale patent and the Cheng patent, and such allowance is respectfully requested.

**Claims 27-32** each depend in some form from claim 26. As such, each of claims 27-32 is necessarily allowable over the combination of the Smale patent and the Cheng patent by virtue of this dependency. Each of claims 27-32 also specifies additional features that are not disclosed by the Smale and/or Cheng patent patents.

**Claim 33** reads as follows:

33. (Currently amended) A method of providing a software extension comprising:

receiving XML data that pertains to a software extension that is to be added to a software platform;

processing the XML data using one or more attachment points to identify XML nodes; and

exposing an XML list that contains one or more nodes that are identified by said processing.

Claim 33 has been amended to specify that the XML data is processed using one or more attachment points to identify XML nodes.

As previously described with respect to claim 1, it is Applicant's position that the Smale reference does not teach or suggest "attachment points," as that term is used and defined in the present application. As such, even if one were to assume arguendo that it would be proper to combine the teachings concerning XML in the Cheng patent (6,421,656) with the Smale reference, the resulting combination would still not anticipate or render obvious the step of "processing the XML data using one or more attachment points to identify XML nodes," as recited in claim 33.

For at least these reasons, it is Applicant's position that the combination of the Smale patent and the Cheng patent fails to teach or suggest each of the limitations of claim 33. As such, it is believed that claim 33 is allowable over the combination of the Smale patent and the Cheng patent, and such allowance is respectfully requested.

**Claims 34-39** each depend in some form from claim 33. As such, each of claims 34-39 is necessarily allowable over the combination of the Smale patent and the Cheng patent by virtue of this dependency. Each of claims 34-39 also specifies additional features that are not disclosed by the Smale and/or Cheng patent patents.

**Conclusion**

Claims 1-42 are in believed to be in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully Submitted,

Dated: November 12, 2003 By: _____

Steven J. Spellman
Reg. No. 45,124
(509) 324-9256